



**STATE OF ARKANSAS
TOWING & RECOVERY BOARD
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Tommy Brown,
Citizen Representative
(501) 753-6220

MINUTES
April 27, 2010

The Arkansas Towing & Recovery Board convened on Tuesday, April 27, 2010 at 9:37 a.m. in the conference room of the Board's Office at 1711 Higginson Street, Searcy, Arkansas. Chairperson Glenna Butler called the meeting to order with roll call. Chairperson Glenna Butler, Vice- Chairperson Wayne Edwards, Treasurer Noel Foster, and Members: E. L. Jacobs, Charles Bokker, Jr., Avon Phillips Jr., Mary Thoma, Ronnie Walker, and Tommy Brown, were in attendance. Board Director Cynthia Lauen, Clerical Assistant April Staggs, Board Investigator Gary Ashcraft, Board Consultant B.G. Hendrix, and Board Legal Counsel Meredith Rebsamen, were also, present.

Chairperson Glenna Butler confirmed members had received the Minutes from the March 31, 2010, meeting with a Motion by Jacobs and a 2nd by Phillips, the Board voted 9-0-0 to accept the Minutes as written.

Treasurer Foster reported expenditures of \$ 16,460.25 and revenues of \$ 26,600.00 for a checkbook balance as of April 26, 2010 of \$ 124,927.98.
(Note: Copy Treasurers' Reports are filed with these Minutes).

Chairperson Glenna Butler welcomed guests: Steve Anglin, General Automotive Towing & Recovery, Inc. and Kay McKnight, Mary's Mother.

Disciplinary Hearing

1. Complaint No. 2010-09-033 Michael Brown DBA Michaels Towing & Recovery: Found in violation of A.C.A 27-50-1208 and Board Rule 10; Fined \$150 with enforcement clause.
2. Complaint No. 2010-11-068 Doyce M. Reeves DBA Auto Tire & Wrecker: Found in violation of A.C.A. 27-50-1208 and Board Rule 10; Fined \$50.00.
3. Complaint No. 2010-01-097 George Bennett DBA Bennett & Sons Wrecker: Found in violation of A.C.A. 27-50-1101(a)(2)(A), A.C.A 27-50-1208, A.C.A. 27-50-1101 (a)(1)(A), and Board Rule 6.1, 9 and 10.; Fined \$600 with the enforcement clause.
4. Offer of Settlement: Complaint No. 2010-12-079 Dewey Purifoy DBA Franks Wrecker & Salvage: Office Staff requested an offer of settlement be sent as this option was now available.

Meeting reconvened at 12:21 p.m.

On-Going Business

1. **Progress Report:** Clerical Assistant Staggs reported as of April 26, 2010: 38 non-consent safety licenses; 35 new, 23 1st renewal, and 34 2nd renewal non-consent permits; 18 consent safety licenses, 22 new, 11 1st renewal, 15 2nd renewal and 01 Trailer consent permits were issued, 26 walk-in applications, 09 applications with deficiencies, and 43 unprocessed applications. (Note copy of Clerical Report is filed with these Minutes).
2. **Complaints Report:** Board Investigator Ashcraft reported as of April 27, 2010: 21 telephone complaints, 10 written complaints, and 0 Notices of Non-renewal were sent. An estimated 70 pending complaint investigations, 04 pending complaint hearings, and 08 closed complaints. 00 Offer of Settlements were sent. The complaints were broken down into itemized categories on the report. (Note: copy of Complaint Report is filed with these minutes)
3. **Administrative Appeals:** Board Council Rebsamen reported on 5 complaints on appeal:
 - A. **Complaint No. 06-12-158:** Asher Wrecker Service, Inc.: Issue with the record and requested a hearing waiting to hear back from the court.
 - B. **Complaint No. 08-11-061 and 08-12-070:** Steve's Auto Center of Conway, Inc.: Waiting for declaratory judgments. Appeals are still pending, waiting on briefing schedule on appeals.
 - C. **Complaint No. 08-06-150:** Gene Zajac DBA Blue Hill Wrecker Service: Record has been filed waiting on a briefing schedule approval.
 - D. **Complaint No. 09-01-093 and 2009-09-045:** Glover's Transmission and Rear End, Inc; Appeal record has been filed and in process of setting briefing schedule.
 - E. **Complaint No. 09-03-110:** Troy Mullins filed an appeal, waiting on briefing schedule.
 - F. **Complaint No. 10-10-041:** Lawhon's Towing & Hauling, Inc., filed an appeal, waiting on record and getting a briefing schedule set up.

Old Business

1. **Arkansas State Police:** Ashcraft reported we continued work with Captain Mark Allen. On-going discussions has been focused on the education of road troopers on the towing laws.
2. **Public Service Advertisements:** Lauen presented samples of possible public service advertisements to be placed in the paper. After some discussion, with a motion by Foster and 2nd by Brown, the Board voted 9-0-0 to have some public service advertisements ads placed in the newspaper.

Other Business

1. **Rate Increase for Tow Vehicle Safety Permits:** Lauen reported the need to increase the permit fee as of July 1, 2010 to forty-eight dollars (\$48.00), this would still be within the guidelines set by A.C.A 27-50-1203(f)(1). After some discussion, with a motion by Brown, 2nd by Foster, the Board voted 8-1-0 to increase the permit fee to forty-eight dollars (\$48.00) on July 1, 2010.

2. **Budget FY 2011:** Lauen presented the FY 2011 budget for review for the May 7, 2010 deadline to be submitted. This budget had been approved during the biennial budget presentation in FY 2009.
3. **Next Meetings:** June 2, 2010, 1st Floor conference room, Room 170, Tower Building, 323 Center Street, Little Rock, Arkansas.

Meeting adjourned 1:15 p.m.

Signed _____
Glenna Butler, Chairperson or
Wayne Edwards, Vice-Chairperson

Attest _____
Cynthia Lauen, Director

Approved _____ (Date)